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IV. THE RÔLE OF CONGRESS AND PUBLIC OPINION IN FORMULATING FOREIGN POLICY

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Northwestern University

There is a popular expectation in the United States that the peace settlement of the major United Nations will be as effectively and loyally executed by the United States as by Great Britain and Soviet Russia. This over-confidence of the American people in the prowess of their President is partly due to: (1) the successful conduct of the war, (2) the popular credence placed in the Chief Executive as national leader in time of war, (3) the immense personal prestige of President Roosevelt and his Secretary of State, Cordell Hull, and (4) the belief that, in case the November election should bring the Republican party into control of the White House, Governor Dewey would continue with vigor the Rooseveltian policy of full participation and leadership on the part of the United States.

A warning that the American Senate might shatter this peace settlement was sounded by Senators Arthur H. Vandenberg and Robert A. Taft and other somewhat isolation-minded Republicans in September, 1943, in the Mackinac Declaration.¹ The "constitutionalism" proposed by this declaration meant nothing else than that the peace settlement must be in the form of a treaty which would require the consent of two-thirds of the members of the American Senate. Senators Vandenberg and Taft controlled the resolutions committee of the Republican national convention in July, 1944, with the result that the Republican platform concluded its proposal regarding the peace settlement with the following pronouncement: "Pursuant to the Constitution of the United States, any treaty or agreement to attain such [international] aims made on behalf of the United States with any other nation or association of nations, shall be made only by and with the advice and consent of the Senate of the United States provided two-thirds of the Senators present concur."

Since the Big Four is expected to seek a peace settlement with far-reaching commitments for the maintenance of an effective international organization, the threat of the Republican senators means that such commitments must either be watered down sufficiently to please one-third of the most isolationist-minded of the American Senate or else they must face almost certain rejection by that body. Of course, it would be possible for the President to defy the Senate, to place the American commitments in the form of executive agreements, and to trust that public opinion would disregard the charges of the Senate minority that he had violated

¹ For the text of the Mackinac Declaration, see *Cong. Rec.*, Sept. 14, 1943, pp. 3499-3500.

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the Constitution and assumed the rôle of dictator. Few presidents would relish this risk. In the event that public opinion supported the senatorial charges, the presidential position would be painful if not untenable.

I. THE LEGAL AND THE REAL TREATY-MAKING POWER

The Fathers of the Constitution provided that the President should have "power to make treaties by and with the advice and consent of the Senate provided two-thirds of the Senators present concur." This provision created an undemocratic procedure inasmuch as it ignored the House of Representatives in which the people of the United States are represented, and created a system which permits a minority in the upper chamber to thwart the will of the majority of the people in foreign relations. More than this, the Constitution obviously required the President to consult the Senate as an advisory body at every step of the negotiation of a treaty.

All that was the letter of the law. But evasions of the Constitution obliterated the letter of the law and created the reality. The first such evasion began in 1789, when the Senate repulsed the attempt of President Washington in person to seek the advice of the Senate on treaty-making, whereupon the President initiated the practice which has continued until today, namely, the complete negotiation of a treaty by the executive before presentation of it to the upper chamber.² Another evasion occurred in 1845, after the Senate, by a partisan vote, rejected the Calhoun treaty for the annexation of Texas. On this occasion, Congress, at the suggestion of President Tyler, brushed aside the Senate prerogative and annexed Texas by virtue of a joint resolution, passed by a simple majority in the House of Representatives and Senate.³ Similar evasion of the Constitution occurred in 1897, when the Democrats in the Senate blocked the ratification of a treaty negotiated by a Republican president for the annexation of Hawaii. Again, Congress accomplished by a joint resolution what could not be achieved under the treaty-making process.

On the basis of these evasions of the Constitution, frequently repeated, Dr. Wallace McClure has been able to construct a convincing argument for the substitution of executive agreements for treaties which require the Senate's consent for ratification.⁴ In much the same way, an eminent constitutional jurist, Professor Edward S. Corwin, viewing the Constitution as the *constitutional document* that means only what judicial review says it means, maintains that the fundamental law constitutes no bar to

² Compare J. R. Hayden, *The Senate and Treaties, 1789-1817*, Chaps. I, II.

³ *Cong. Globe*, Vol. 58 (Feb. 27, 1845), p. 362. Cf. Justin H. Smith, *The Annexation of Texas* (1911), Chap. XIV.

⁴ *International Executive Agreements; Democratic Procedure under the Constitution of the United States* (1941).

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the entrance of the United States into almost any sort of international organization.⁵

In spite of many eloquent precedents for evading the Constitution, President Woodrow Wilson did not resort to the executive agreement and the joint resolution when a minority in the Senate in 1919-20 defeated the ratification of the Treaty of Versailles, including the Covenant of the League. One of the tragic aspects of the collapse of the peace system of 1919 was the fact that the minority in the Senate which blocked ratification was partially composed of members of the Democratic party bound to their stubborn course by the President himself.⁶ While the reservations attached to the treaty through the cunning tactics of Senator Henry Cabot Lodge were designed to destroy the effective participation of the United States in the League, ratification of the Treaty of Versailles would have brought some measure of American coöperation in the peace system. This would have been better than no participation whatsoever.

Ratification of the Treaty of Versailles without amendments was defeated in the Senate, in November, 1919, by a vote of 38 to 53.⁷ Of the 38 yeas, 37 were from Democrats and only one from a Republican. In March, 1920, ratification of the Treaty with the Lodge reservations, which had been adopted by almost solidly Republican votes, was defeated by 49 to 35.⁸ In other words, the Treaty with reservations had a majority, but not a two-thirds majority. Twenty-one stubborn Democrats joined with twenty-eight irreconcilable Republicans to defeat the Treaty. Under these circumstances, it was not to be expected that the President, even if not stricken with paralysis, would seek to bring the United States into the League of Nations by means of a joint resolution, inasmuch as such a resolution would necessarily have been expressed in terms of the Lodge reservations, which were anathema to him.

Two years later (1922), when the Democratic minority in the Senate threatened the ratification of the treaties of the Washington Conference on Limitation of Armaments, President Harding toyed with the scheme of placing the commitments in the form of executive agreements. Fourteen years later, under the leadership of President Franklin D. Roosevelt, the United States became a member of the International Labor Organization, created by Part XIV of the Treaty of Versailles. This was accomplished, not by a new treaty, but rather by a joint resolution which passed

⁵ *The Constitution and World Organization* (1944).

⁶ See statement of Senator Hitchcock in Nicholas Murray Butler, *Across the Busy Years* (1940), Vol. II, p. 201.

⁷ *Cong. Rec.*, Vol. 58 (Nov. 19, 1919), Pt. 9, pp. 8786 and 8803. For an analysis of this vote, see W. Stull Holt, *Treaties Defeated by the Senate* (1933), pp. 295-298.

⁸ *Cong. Rec.*, Vol. 60 (Mar. 19, 1920), Pt. 5, pp. 4598-4599.

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⁹ *Cong. Rec.*, Vol. 12,241. See also *Man*
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¹⁰ An account o
June 10, 1943, p. 28.

the House of Representatives by a vote of 233 to 109, and which the Senate adopted without a record vote.⁹

II. THE VANDENBERG-GREEN-SAYRE FORMULA

During World War II, when the Department of State began to formulate plans for the peace settlement, a considerable number of American experts leaned toward the use of executive agreement rather than treaty as the legal basis for the universal international organization. It was foreseen that various parts of this organization would be created from time to time. It was even said that the international structure might be established piecemeal by means of separate executive agreements without alarming the Senate minority, bent on mutilation of any formal treaty with military commitments submitted for approval. Legislative support for any such series of agreements, if necessary, would be secured by means of joint resolutions requiring only a simple majority of both houses of Congress.

Acting on this premise, in the spring of 1943, the State Department negotiated the draft text of the United Nations Relief and Rehabilitation Administration Agreement with Great Britain, Soviet Russia, and China. In June, President Roosevelt summoned the majority leaders of the Senate and House (Barkley, McCormack, McNary, and Martin) to a White House conference, and their consent to the proposed procedure in the case of the U.N.R.R.A. Agreement was obtained.¹⁰ In other words, the leadership of both parties in both houses of Congress acquiesced in the proposal to give legislative sanction to the executive agreement after its negotiation with the various members of the United Nations. This plan had the merit of avoiding the treaty-wrecking predilections of the one-third minority in the Senate. But, at the same time, it was destined to give offense to the committees in Congress particularly concerned with foreign affairs. The members of the Senate Committee on Foreign Relations were bound to resent any failure to consult them in a matter of this importance; and such resentment might even block a favorable report when the supporting joint resolution was laid before Congress. In particular, the new procedure threatened the vested interest of the Senate in treaty-making.

Senator Arthur H. Vandenberg raised the alarm by introducing a reso-

⁹ *Cong. Rec.*, Vol. 78 (June 13 and 16, 1934), Pt. 10, p. 11,343, and Pt. 11, p. 12,241. See also Manley O. Hudson, "The Membership of the United States in International Labor Organization." *Amer. Jour. of Internat. Law* (Oct., 1934), Vol. 26 pp. 669-674.

¹⁰ An account of this conference reached the press. See *New York Times*, June 10, 1943, p. 28.

lution demanding the submission of the U.N.R.R.A. Agreement to the Senate.¹¹ Even the Democratic chairman of the Committee on Foreign Relations, Senator Tom Connally, was ready to desert the President and lead a revolt. A sub-committee of five was appointed by the Committee with instructions to confer with the Secretary of State, included in it being three Democrats, namely Tom Connally (Texas), Elbert D. Thomas (Utah), and Theodore Francis Green (Rhode Island). One Republican, Arthur H. Vandenberg (Michigan), and one Progressive, Robert M. La Follette (Wisconsin), completed the list.

Reluctant as were State Department officials to submit a carefully negotiated pact to senators whose hands itched to revise all executive papers, Secretary Hull gave complete coöperation.¹² In his appearances before the sub-committee, he was accompanied by the negotiators of the pact, namely, Dean Acheson (Assistant Secretary of State) and Francis B. Sayre (Deputy Director of the Office of Foreign Relief and Rehabilitation Operations). Suavely and patiently, he heard the complaints of senators who felt that their prerogatives had been ignored.¹³ He even submitted the agreement to the committee for revision, and drastic changes in its text were made before the final formula for procedure was developed by Senator Green and Francis B. Sayre.¹⁴ The achievement of peace between the executive and the legislature was largely due to the sagacity of the Secretary of State. The event went practically unnoticed in the press. But in reality it was of equal significance with the diplomatic victory that the Secretary was destined to achieve three months later in the Moscow Conference.

The gentlemen's agreement between the executive and the members of the Senate Committee on Foreign Relations was simply this: In return for the submission of the draft text to the Committee on Foreign Relations, the members of the Committee tacitly pledged that they would support a resolution authorizing the United States to participate in the work of the United Nations Relief and Rehabilitation Administration. The enabling act was to be simply a joint resolution, requiring for its adoption only a majority vote in both houses.

III. THE UNITED NATIONS RELIEF AND REHABILITATION AGREEMENT

Accordingly, the Department of State re-opened negotiations with Great Britain, Soviet Russia, and China in order to win approval for the revised agreement; and when this was accomplished, negotiations with the

¹¹ *Cong. Rec.*, Vol. 89 (July 6, 1943), Pt. 5, p. 7237.

¹² See the account by Senator Vandenberg in the *New York Times*, Aug. 18, 1943, p. 1.

¹³ For further details, see the author's *The American Senate and World Peace* (1944), Chap. II.

¹⁴ See *New York Times*, Aug. 25, 1943, p. 1.

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remaining states in the United Nations were undertaken. The agreement was finally signed on November 9, 1943,¹⁵ and on the following day representatives of the forty-four nations met in Atlantic City and organized the Council of the United Nations Relief and Rehabilitation Administration.¹⁶

It now became the duty of Congress to fulfill the understanding with the Department of State. On January 17, 1944, the Committee on Foreign Affairs in the House of Representatives reported favorably a resolution (H.J. Res. 192) offered by Sol Bloom, chairman, authorizing the appropriation of \$1,350,000,000 to the President for participation in U.N.R.R.A.¹⁷ The inclusion of the text of the U.N.R.R.A. Agreement in the resolution also constituted a tacit approval of the agreement by Congress. On January 25 the resolution passed the House, and on February 17 the Senate adopted it with amendments.¹⁸ By March 22, the compromise offered by the conference committee on the resolution had been accepted by both houses, although this was not accomplished without necessity of averting several reservations demanded by the Senate.

IV. EXECUTIVE AGREEMENTS WITHOUT CONGRESSIONAL SANCTION

Even prior to Pearl Harbor, the Department of State envisaged the ultimate peace settlement as a series of specific agreements rather than as a single comprehensive treaty. These non-treaty agreements might be either with or without special Congressional sanction. As we have seen, the U.N.R.R.A. Agreement, originally intended as an unsupported executive agreement, finally fell into the former category. In the latter category have come the American entrance into the military alliance of the United Nations (Declaration of the United Nations of January 1, 1942) and the American participation in the United Nations Interim Commission of Food and Agriculture in 1943, while the Anglo-American Oil Agreement of 1944 was submitted as a treaty to the Senate.¹⁹

Every one of these agreements has required, or will require, Congressional support in order to make it effective. But in each case the agreement was made without reference of the text to Congress, and each one

¹⁵ *Department of State Bulletin*, Vol. 9 (Nov. 13, 1943), No. 229, pp. 317-319. The text of the agreement had been published in the *Bulletin* of Sept. 25, 1943, No. 222, pp. 211-225.

¹⁶ *First Session of the United Nations Relief and Rehabilitation Administration, Atlantic City, New Jersey, November 10-December 1, 1943* (Washington, 1944), pp. 115, 205-206.

¹⁷ House of Representatives, Report No. 994, 78th Cong., 1st Sess. Without the specific authorization, H. J. Res. 192 had been introduced in the House in November, 1943. See *Cong. Rec.*, Vol. 89 (Nov. 15, 1943), Pt. 7, p. 9557.

¹⁸ *Cong. Rec.*, Vol. 90 (Feb. 17, 1944), pp. 1837-1840.

¹⁹ Senate Executive Doc. F, 78th Cong., 2d sess. (Aug. 24, 1944).

had its legal base in the powers of the President as chief executive and commander-in-chief, or else in powers already conferred upon him by Congress.

Even so, uneasiness was expressed in certain Congressional circles over the procedure of executive agreements. For instance, Senator Francis Maloney, chairman of the Senate Special Committee on Gasoline and Fuel-Oil Shortages, expressed resentment that the Department of State had failed to inform his committee of the progress of the negotiations with the British government regarding the control of the supply of petroleum; and on July 11, 1944, two weeks before the Monetary Agreement was signed at Bretton Woods, Senator Taft announced that the agreement of this conference would be defeated in Congress.²⁰

The above-mentioned events suggest the possibility of a dangerous impasse between the Senate and the Department of State; and this danger, which always lurks in the presidential as contrasted to the parliamentary form of government, has recently become a matter of great public concern. There has been widespread assumption that the Department of State, while aware of the danger, has done little to obviate it. As a matter of fact, within the past three years, the Department has made notable efforts to improve its relationship not only with Congress, but also with the American people. These efforts may be described under the following heads: (1) Executive-Congressional coöperation in the formulation of policy and conduct of foreign relations, (2) government-public relations in terms of education of citizens by governmental agencies, and (3) public pressure on government policy.

V. EXECUTIVE-CONGRESSIONAL COÖPERATION

By October, 1940, the Department of State was aware of the fact that the large acquaintance of Secretary Cordell Hull with members of Congress was not sufficient to maintain the proper contact between the legislature and the executive in foreign affairs. A member of Congress for twenty-two years before his appointment to the secretaryship of state in 1933, Mr. Hull had many personal friends in both houses. But need for coöperation between Congress and the Department was too complicated to be met by mere personal contact of the Secretary with individual members of the two houses.

In October, 1940, Breckinridge Long was appointed Assistant Secretary in charge of Congressional relations; and with the approval of the Secretary, Mr. Long inaugurated a series of conversations with the Senate Committee on Foreign Relations in order to take the members into the

²⁰ See *Chicago Sun*, Aug. 10, 1944, and *New York Times*, July 12, 1944, p. 1.

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²¹ Compare *The* No. 2056, Washing

confidence of the Department in regard to general policy and current problems. These conferences were not held at regular intervals, but rather from time to time. The same procedure, with less frequent conferences, was followed with the House Committee on Foreign Affairs. The activities of the Assistant Secretary have assumed the following pattern:

(1) *Advice on Bills and Resolutions.* Committees in both houses refer to the Department of State for advice all bills and resolutions concerning foreign relations. After study is given to the matter, a reply is made. The reply is then checked with the Bureau of the Budget in order to ascertain whether the Department's advice is in line with the President's general policy. If it is found to be so, the Department's letter is dispatched to the committee which initiated the inquiry.

(2) *Hearings before Committees.* After this correspondence, a committee may desire the personal appearance of an officer of the Department for further examination of the subject. Unless the Department requests an executive session, such hearings are generally public; the press is permitted to attend, and the record is published.²¹

(3) *Informal Conferences on High Policy.* From time to time, conferences on high policy are called between committees of Congress and ranking officers of the Department; and often these include the Speaker and the majority and minority leaders of the House of Representatives and the majority and minority leaders of the Senate. Indeed, the most important ones may include the President, in which case the meetings take place at the White House.

In recent years, emphasis has been placed upon the non-partisan features of foreign relations; indeed, a distinct effort has been made to divorce foreign affairs from party politics. As a result, the Department has sought full and free conversations with members of the opposition party as well as members of the majority party. Such members have been taken into the confidence of the Department as officers of the Government, and not as members of a political party—and with gratifying results.

Incidentally, it should also be said that the Department has always performed numerous errands for members of Congress. There is a considerable volume of correspondence by senators and representatives with the Department about matters in which their constituents may be interested and which involve the rights of Americans abroad or the property of Americans in foreign lands; and correspondence of this nature tends to create legislative confidence in the Department and to facilitate coöperation of legislature and executive.

²¹ Compare *The State Department Speaks* (Department of State Publication, No. 2056, Washington, 1944), pp. 56-58.

VI. PUBLIC INFORMATION ON FOREIGN POLICY

Education of the public is a function of the Department of State that has been tardy in development.²² Traditionally the most conservative of the executive departments, the State Department has been loath to make public explanations of policy and action, even at times when national security was at stake. Too frequently, ranking officers of the Department have believed that their duties were best performed by a strict attention to the conduct of foreign affairs, leaving entirely to the Secretary or the President the task of offering a public justification of Department policy.

The change in the Department's attitude toward propaganda was caused partly by the provision of the Trade Agreements Act of 1934 requiring the renewal of the President's power to conclude such agreements at the end of three years. Disappointing as was this limitation to the friends of reciprocity, it possessed a special virtue. It actually compelled the Department to initiate a public information program to promote understanding of trade pacts; and this ultimately redounded to the credit of the Department. The lowering of tariff schedules is a complicated matter, not easily understood by the man in the street. Nevertheless, the efforts of Secretary Hull and his able assistants in awakening popular interest in the reciprocal trade agreements was little less than spectacular. No one can read the record of the hearings on the Trade Agreements Act before the House Committee on Ways and Means and the Senate Committee on Finance without a feeling of admiration for the work done by the Department in stimulating public interest in the Act.²³ The majority of the civic and business organizations that undertook studies of the trade pacts expressed themselves in favor of reciprocity; and by 1943, over 94 per cent of press opinion in the United States approved the Trade Agreements Act.

The educational work on the Hull agreements eloquently proved the necessity for creating special means for educating citizens regarding all policies of the Department. Indeed, this experience was largely responsible for the subsequent creation of the Office of Public Information, and, in particular, the Division of Public Liaison of that Office.

VII. THE OFFICE OF PUBLIC INFORMATION

Throughout the years 1940-43, the Department was subjected to an increasing barrage of criticism in the press as well as in Congress for al-

²² Compare a statement by Secretary Hull on "Need for Alert Public Opinion," in *Department of State Bulletin*, Vol. 10 (July 16, 1944), No. 264, p. 60.

²³ See, in particular, *Hearings before the Committee on Ways and Means, House of Representatives, Seventy-eighth Congress, First Session on H. J. Res. 111, Extension of Reciprocal Trade Agreements Act* (Washington, 1943), and also *Hearings before the Committee on Finance, United States Senate, Seventy-eighth Congress, First Session, on H. J. Res. 111, Extension of Reciprocal Trade Agreements Act* (Washington, 1943).

leged inefficient administration of Secretary Hull at the Moscow Conference. Political criticism, while tardy, on July 15, 1944, met many of the questions that were talking about. The same time, the change to popular education was Department Order No. 1. Office of Public Information of the foreign policy and in other countries. was made responsible for execution of programs in relations with private foreign policy, and with collection and analysis of foreign policy questions; tion of official documents; States government with of War Information, the fairs, and other government activities.

The function of maintaining hands of a Special Assistant the veteran representative papers, who was not placed Information. All other functions distributed among the following: (2) Motion Pictures and Central Translating; and

(I) *Division of Research* the only federal department activities; and for many defect in American foreign diplomatic correspondence *United States*, today lag under the leadership of

²⁴ The order is published 15, 1944), pp. 45-65. For 66-67; and cf. Walter H. the Department of State.

²⁵ Now, Division of C

²⁶ The Division of Public established by Department

leged inefficient administration. The brilliant achievements of Secretary Hull at the Moscow Conference in October, 1943, effectively answered the political criticism, while the reorganization of the Department on January 15, 1944, met many of the objections of experts who knew what they were talking about. The reorganization affected the entire Department; at the same time, the changes in the functions and organization relating to popular education were one of the most conspicuous features of it. Department Order No. 1218, issued January 15, 1944, established the Office of Public Information, charged with securing a "full understanding of the foreign policy and relations of the United States, within this country and in other countries."²⁴ Specifically, the Office of Public Information was made responsible for development and coördination of policy and execution of programs in matters pertaining to: (a) the Department's relations with private organizations interested in the formulation of foreign policy, and with the domestic press, radio, news-reels; (b) the collection and analysis of materials relating to public attitudes on current foreign policy questions; (c) research on international affairs and publication of official documents; (d) the cultural exchange program of the United States government with foreign countries; and (e) liaison with the Office of War Information, the Office of the Coördinator of Inter-American Affairs, and other government departments and agencies engaged in related activities.

The function of maintaining relations with the press remained in the hands of a Special Assistant to the Secretary, Mr. Michael J. McDermott, the veteran representative of the Department in all contacts with newspapers, who was not placed under the jurisdiction of the Office of Public Information. All other functions of public education and propaganda were distributed among the following divisions: (1) Research and Publication; (2) Motion Pictures and Radio; (3) Science, Education and Art;²⁵ (4) Central Translating; and (5) Public Liaison.²⁶

(I) *Division of Research and Publication.* The Department of State is the only federal department that does not publish an annual report of its activities; and for many years this lack of reporting remained a serious defect in American foreign policy. Moreover, the publication of selected diplomatic correspondence in the yearly volumes, *Foreign Relations of the United States*, today lags thirteen years behind the current date. In 1928, under the leadership of Professor Manley O. Hudson, the Conference of

²⁴ The order is published in full in the *Department of State Bulletin*, Vol. 10 (Jan. 15, 1944), pp. 45-65. For a chart of the Department as reorganized, see *ibid.*, pp. 66-67; and cf. Walter H. C. Laves and Francis O. Wilcox, "The Reorganization of the Department of State," in this REVIEW, Vol. 38, pp. 289-301 (Apr., 1944).

²⁵ Now, Division of Cultural Coöperation.

²⁶ The Division of Public Liaison, not included in Departmental Order 1218, was established by Departmental Order 1229 of February 22, 1944.

Teachers of International Law and the American Society of International Law urged the Department to adopt a more extensive program of publication.²⁷ One result was the speeding up of the publication of *Foreign Relations*; another was the launching of a periodical called *Information Service*, consisting chiefly of the press releases of the Department as issued from day to day. In 1938, the *Information Service* became the *Department of State Bulletin*, published weekly and containing somewhat more detailed information regarding the operations of the Department. Printed with an attractive format, this periodical seeks to acquaint the citizen with every phase of American foreign relations. For several years, E. Wilder Spaulding, chief of the Division, has maintained close contacts with learned and professional societies, as well as with colleges and universities, in order to ascertain what types of information are most desired by them.

(2) *Division of Motion Pictures and Radio*. Modern methods of communication and transportation have forced governments to assume responsibility for the dissemination abroad of information that will contribute to an understanding of their peoples and their policies. The United States has belatedly recognized what other governments have long realized, namely, that motion pictures, radio, and publications of all sorts are essential media for encouraging peoples of foreign countries to entertain a friendly view of the United States and its policies. Some deplorable mistakes have been made in the types of movies produced in American studios and shown in Latin American countries, and to counteract such blunders, it is the part of wisdom to seek the coöperation of all interested parties in the dissemination of movies abroad which are not distortions of American life. The same consideration applies to broadcasting and publications. The Division of Motion Pictures and Radio coöperates with the Coördinator of Inter-American Affairs and the Office of War Information in their overseas informational projects, costing about twenty million dollars annually.

(3) *Division of Cultural Coöperation*. This bureau has the task of formulating and operating the Department's activities designed to encourage and strengthen intellectual coöperation and cultural relations between the people of the United States and those of friendly foreign nations, including (a) facilitation of communications between students, interns, trainees, teachers, experts, and persons of prominence in such fields as education, technology and the arts, crafts, sciences, and professions; (b) exchange of books and scientific equipment; (c) assistance to centers of American culture abroad, such as educational institutions, libraries, museums, social-service agencies, and cultural institutions; (d) assistance in the reconstruction and rehabilitation of educational and cultural institutions

²⁷ See the writer's "Expansion of the Publications of the Department of State," in this REVIEW, Vol. 22, pp. 69-77 (Feb., 1929).

in devastated areas of the United States and with private organizations and enterprises particularly

(4) *Division of Public Information*. To meet the demand for information on international events of this bureau has organized the (1) developing methods of operations, aims, problems and complex situations, and (2) attitudes, by conducting the materials supplied to political leaders, and relations of foreign affairs.

Today, in the field of international relations, education, aggregate membership, the general public, Liaison undertaken for information and use of these groups of the conduct of personal contact with organizations and

Educational methods are adapted to their members and foreign commercial organizations and foreign policy groups information about problems of foreign policy

²⁸ See *The Cultural Coöperation*, Department of State Publication, "State Department Bulletin," Vol. XI (Journal of Cultural Coöperation, 1944), No. 255, pp.

²⁹ For the text of the *State Bulletin* (February)

in devastated areas; and (e) coöperation with official agencies of the United States and of foreign governments, with international agencies, with private organizations of all countries, and with private commercial enterprises participating in international cultural activities.²⁸

(4) *Division of Public Liaison*. The latest division to be formed in the Office of Public Information, the Division of Public Liaison²⁹ attempts to meet the demand upon government made by the broad popular interest in international events and foreign policy; and in many respects, the creation of this bureau has been one of the most important episodes in the reorganization of the Department. The Division undertakes the task of: (1) developing means for bringing to the people a closer insight into the operations, aims, policies, and methods of the Department and into the problems and complexities involved in the settling of specific international situations, and (2) increasing the Department's knowledge of public attitudes, by conducting studies and analyzing public opinion polls and the materials supplied by the press and periodicals, radio commentators, political leaders, and private groups and organizations on current questions of foreign affairs.

Today, in the field of international affairs, public opinion is mobilized in fraternal, educational, labor, business, and religious groups whose aggregate membership runs into the millions, and whose influence affects the general public in a most profound manner. The Division of Public Liaison undertakes to answer the numerous requests of organized groups for information and advice in the field of foreign affairs, and to make full use of these groups for promoting a more complete public understanding of the conduct of foreign relations; and this requires the maintenance of personal contact with secretaries and directors of outstanding national organizations and groups.

Educational materials on foreign affairs supplied by the State Department are adapted for use by these organizations in publications sent to their members and to their local officers. Examples include statements on foreign commercial policy prepared by the Department for business organizations and statements on international organization matters for foreign policy groups, etc. The materials take many forms, ranging from information about particular countries to information on specific problems of foreign policy. The Division frequently coöperates with the of-

²⁸ See *The Cultural-Coöperation Program, 1938-1943*, by Haldore Hanson (Department of State Publication, No. 2137, Washington, 1944). See also Willys R. Peck, "State Department Aid to Cultural Exchange with China," in *Department of State Bulletin*, Vol. XI (July 9, 1944), No. 263, pp. 36-43; and G. Howland Shaw, "Cultural-Coöperation Program of the Department of State," in *ibid.*, Vol. X (May 13, 1944), No. 255, pp. 429-434.

²⁹ For the text of Departmental Order 1229 of February 22, 1944, see *Department of State Bulletin* (Feb. 26, 1944), Vol. 10, pp. 209-211.

ficials of these organizations by bringing them into contact with departmental experts, and arranges also for the participation of officers of the Department in meetings and conferences arranged by such organizations.

VIII. PUBLIC PRESSURE AND GOVERNMENTAL POLICY

The analysis of public opinion conducted by the Department is one of the new activities promoted by recent reorganization. It is of prime importance that the Secretary, the Under-Secretary, and other policy-making officials have accurate and timely information regarding public opinion in the country on foreign policy, and it is equally essential that this information be made available to our diplomatic missions abroad. This work is performed by the Division of Public Liaison, which assembles and classifies public opinion data and prepares analytical and interpretative studies of current trends in public attitudes toward foreign policy. Each week, a confidential report, *Public Attitudes on Foreign Policy*, is compiled for the Secretary, the Under-Secretary, and other policy-making officials. This document is prepared from various sources—public opinion surveys of established agencies, Congressional debates on foreign policy, and public opinion as expressed in addresses of leaders and statements of organizations in the fields of labor, business, agriculture, religion, women's clubs and foreign relations groups. Clippings from over 300 newspapers and 40 magazines are received and carefully digested. Letters and telegrams addressed to the White House and to the Department—averaging about a thousand a day—are another source of information regarding the public mind. Experience has shown that such letters assist materially in determining the areas of information and of ignorance in foreign affairs throughout the country.

IX. NON-PARTISAN CHARACTER OF STATE DEPARTMENT POLICY

One remarkable feature of State Department policy in recent years has been its tendency toward non-partisanship. While Secretaries Charles E. Hughes (1920-25) and Frank B. Kellogg (1925-29) presided over the Department, party politics was conspicuously present. On the other hand, Secretary Henry L. Stimson (1929-33) made a valiant effort to raise foreign policy above partisan considerations. From the beginning of his career as Secretary, Cordell Hull has sought to achieve the same end. In twelve years of continuous service, he has gone far. It is not too much to say that, perhaps with the exception of John Hay, Mr. Hull has raised Departmental policy further above partisanship than any other Secretary. Moreover, Mr. Hull has achieved something that John Hay never accomplished, namely, a considerable degree of coöperation with Congress.

Particularly in the preparation of an American plan for the organization of the United Nations, Secretary Hull has ignored party lines. In the study

of this problem, which drew upon all shades of preliminary Conference. Hull requested the chairmen to designate a bipartisan committee of the American plan for a conference, Governor Dewey about the American plan to discuss the matter with the almost without precedent confer, designated his former representative. The summer of 1943, when the Senate named members from both sides on committees to develop international aviation, and for the national Monetary Conference of the Treasury employed

Obviously, twentieth-century diplomacy. It is with its recurring clash with its inelastic system of competence in the conduct at least reduces the friction almost zero. On the other hand, the ratification of treaties, is surely an adjunct of the democratic process remain largely out of the time, the Department has a careful awareness of its policy with the Department reason for believing that than ever before, not a sentiment at home.

¹⁰ See the address by Secretary Hull to the Senate, "Department of State," *Department of State*, 1943. See also the statement of Secretary Hull on the character of the groups which were organized, 552-553 (June 17, 1944).

¹¹ See statement in *New York Times*, Oct. 14, 1943.

¹² *Ibid.*, Oct. 14, 1943.

of this problem, which began even before Pearl Harbor, the Department drew upon all shades of opinion. Early in 1944, as the time for calling the preliminary Conference on International Security approached, Secretary Hull requested the chairman of the Senate Committee on Foreign Relations to designate a bipartisan group of senators to advise in the development of the American plan.³⁰ When, on the eve of the Dumbarton Oaks conference, Governor Dewey made a public statement raising questions about the American plan, the Secretary expressed his willingness to discuss the matter with the Republican nominee.³¹ This friendly gesture was almost without precedent. The Governor, while declining personally to confer, designated his foreign-policy adviser, Mr. John Foster Dulles, as his representative. The same non-partisan procedure was used in October, 1943, when the Senate and House of Representatives were requested to name members from both major parties to sit with Department officials on committees to develop postwar policies in ocean shipping, international aviation, and foreign communications.³² In planning for the International Monetary Conference at Bretton Woods in 1944, the Department of the Treasury employed the same tactics.

X. CONCLUSION

Obviously, twentieth-century methods should be applied to twentieth-century diplomacy. It is a moot question whether the presidential system, with its recurring clashes between the executive and the legislature and its inelastic system of elections is well adapted to the promotion of competence in the conduct of foreign relations. The parliamentary system at least reduces the friction between the executive and the legislature to almost zero. On the other hand, the Senate monopoly over the consent to ratification of treaties, together with the two-thirds rule, is not necessarily an adjunct of the presidential form of government. These defects in the democratic process still cause American direction of foreign policy to remain largely out of the control of a majority of the people. At the same time, the Department has assumed a new rôle of leadership, tempered by a careful awareness of public opinion. Public opinion weighs more heavily with the Department than most people think. Indeed, there is every reason for believing that the Department today is far better informed than ever before, not only upon conditions abroad, but also upon public sentiment at home.

³⁰ See the address by Secretary Hull entitled "Foreign Policy of the United States," *Department of State Bulletin*, Vol. 10, No. 251, pp. 335-342 (Apr. 15, 1944). See also the statement of President Roosevelt concerning the non-partisan character of the groups which developed the American plan, *ibid.*, Vol. 10, No. 260, pp. 552-553 (June 17, 1944).

³¹ See statement in *New York Times*, Aug. 18, 1944, p. 1.

³² *Ibid.*, Oct. 14, 1943, p. 1.